

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA, :  
:  
- v. - : **SUPERSEDING**  
:  
MICHAEL VAN PRAAGH and : **INDICTMENT**  
:  
JAMES LYLE, : S3 14 Cr. 189 (PAC)  
:  
Defendants. :  
:  
-----X

COUNT ONE

The Grand Jury charges:

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: **SEP 30 2014**

1. From at least in or about December 2012 up to and including at least in or about January 2014, in the Southern District of New York and elsewhere, MICHAEL VAN PRAAGH and JAMES LYLE, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MICHAEL VAN PRAAGH and JAMES LYLE, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that MICHAEL VAN PRAAGH and JAMES LYLE, the defendants, conspired to distribute and possess

with the intent to distribute was 500 grams and more of mixtures and substances containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States Code, Section 841(b) (1) (A) .

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. On or about May 30, 2013, in the Southern District of New York, MICHAEL VAN PRAAGH, the defendant, intentionally and knowingly distributed and possessed with intent to distribute a controlled substance in violation of Title 21, United States Code, Section 841(a) (1) .

5. The controlled substance involved in the offense was 50 grams and more of mixtures and substances containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States Code, Section 841(b) (1) (B) .

(Title 21, United States Code, Sections 812; 841(a) (1); 841(b) (1) (B); and Title 18, United States Code, Section 2.)

COUNT THREE

The Grand Jury further charges:

6. On or about December 11, 2013, in the Southern District of New York, JAMES LYLE, the defendant, intentionally and knowingly distributed and possessed with intent to distribute a controlled substance in violation of Title 21, United States Code, Section 841(a)(1).

7. The controlled substance involved in the offense was 50 grams and more of mixtures and substances containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States Code, Section 841(b)(1)(B).

(Title 21, United States Code, Sections 812; 841(a)(1); 841(b)(1)(B); and Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATION

8. As a result of committing the controlled substance offenses alleged in Counts One and Two of this Indictment, MICHAEL VAN PRAAGH, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said offenses and any and all property used or intended to be used in any manner or part to commit and to facilitate the

commission of the offenses alleged in Counts One and Two of this Indictment, including but not limited to, a sum in United States currency representing the amount of all proceeds obtained as a result of the offenses alleged in Counts One and Two of this Indictment.

9. As a result of committing the controlled substance offenses alleged in Counts One and Three of this Indictment, JAMES LYLE, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, § 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said offenses and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses alleged in Counts One and Three of this Indictment, including but not limited to, a sum in United States currency representing the amount of all proceeds obtained as a result of the offenses alleged in Counts One and Three of this Indictment.

Substitute Asset Provision

10. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;


b. has been transferred or sold to, or deposited with, a third person;


c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the said defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)

  
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FOREPERSON

  
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PREET BHARARA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

MICHAEL VAN PRAAGH,  
and  
JAMES LYLE,  
Defendants.

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S3 14 Cr. 189 (PAC)

SUPERSEDING  
INDICTMENT

(21 U.S.C. §§ 812, 841, 846 and 853; and  
18 U.S.C. § 2.)

PREET BHARARA

United States Attorney.

A TRUE BILL



Foreperson.

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9/30/14 - Filed Superseding Indictment  
de Judge Peak  
USMD